



INSURANCE FRAUD INVESTIGATION DIVISION

Kentucky Department of Insurance

909 Leawood Drive, P. O. Box 4050, Frankfort, KY 40604-4050

Phone 502-564-1461 – FAX 502-564-1464

Fraud Statistics/Convictions Activity

February 2009

Fraud Statistics

	<u>Month</u>	<u>YTD</u>
Total Referrals Received.....	90	173
Open Cases (Investigations-includes prior years)		239
Assigned Cases (Investigations).....	24	29
Closed Cases (Investigations).....	3	3
Closed Cases (Investigations) Exceptionally Cleared – Declined by Prosecutor.....	1	3
Charges (10 felonies, 1 misdemeanor).....	11	16
Convictions (16 felonies, 1 misdemeanor).....	17	17
Restitution Ordered..... \$	0.00	\$ 0.00

Convictions Activity

Jesus Aritaga – On or about 10/12/05. Aritaga possessed a fraudulent insurance identification card which he sold to another individual. Aritaga is not a licensed agent. On 12/1/08, Aritaga was charged with one felony count of Criminal Possession of a Forged Instrument II in Jefferson District Court. On 1/22/09, he pled guilty to the amended misdemeanor charge of Attempt Criminal Possession of a Forged Instrument II, and was sentenced to 365 days conditionally discharged for two years, and ordered to pay court costs of \$135.00.

Robert Holbert - Between 11/9/04 and 11/30/07, Holbert committed the offense of Fraudulent Insurance Acts/complicity Over \$300 when he knowingly and with intent to defraud or deceive, presented or caused to be presented, fraudulent certificates of liability insurance forms, knowing that the documents contained false, incomplete, or misleading information and the claim benefit or money exceeded \$300. Specifically, he presented these fraudulent certificates of liability insurance forms to five business entities. Three of the entities were presented with fraudulent certificates of liability on two different occasions. Holbert committed the offense of Criminal Possession Forged Instrument II/complicity when, with knowledge that it was forged and with intent to defraud, deceive or injure the five businesses entities, he had in his possession forged instruments with, when completed, purported to be certificates of liability insurance forms.

On 12/15/08, Holbert entered a guilty plea to all charges. He was sentenced to one year each for the fraudulent insurance act/complicity charges and one year each for the criminal possession forged instrument II/complicity charges, with sentences to run concurrently for a total of one (1) year to serve. He was taken into custody on 2/23/09.